

D-2939CIPCON2DIV1
Serial No. to be assigned
Filed herewith

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

Claim 1 to 24 (canceled)

Claim 25 (new): A soluble portion of a botulinum toxin in a host cell in which the botulinum toxin portion has been recombinantly expressed.

Claim 26 (new): The soluble portion of a botulinum toxin of claim 25 wherein the botulinum toxin portion is capable of eliciting an immune response.

Claim 27 (new): The soluble portion of a botulinum toxin of claim 25 wherein the botulinum toxin is type A.

Claim 28 (new): The soluble portion of a botulinum toxin of claim 25 which includes a non-toxin protein sequence.

Claim 29 (new): The soluble portion of a botulinum toxin of claim 28 wherein the non-toxin protein sequence is polyhistidine.

Claim 30 (new): The soluble portion of a botulinum toxin of claim 25 wherein the botulinum toxin is released from the cell.

Claim 31 (new): The soluble portion of a botulinum toxin of claim 25 wherein the botulinum toxin is isolated.

Claim 32 (new): The soluble portion of a botulinum toxin of claim 25 wherein the host cell is a prokaryote.

Claim 33 (new): The soluble portion of a botulinum toxin of claim 32 wherein the prokaryotic host cell is E. coli.

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Claim 34 (new): The soluble portion of a botulinum toxin of claim 25 wherein the host cell is a eukaryote.

Claim 35 (new): The soluble portion of a botulinum toxin of claim 34 wherein the eukaryotic host cell is selected from the group consisting of a mammalian cell, an insect cell and a yeast cell.

Claim 36 (new): The soluble portion of a botulinum toxin of claim 35 wherein the yeast cell is *Pichia pastoris* or *Saccharomyces cerevisiae*.